

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>11-136</u>
v.	:	DATE FILED: <u>3/8/11</u>
GREGORY SMITH,	:	VIOLATIONS:
 a/k/a “Tyriq Mason,”	:	18 U.S.C. § 371 (conspiracy to make
MICHAEL ANTHONY LAWS	:	false statements to a federal firearms
REGINA LONGSTRATT	:	licensee - 1 count)
	:	18 U.S.C. § 924(a)(1)(A) (making false
	:	statements to a federal firearms licensee -
	:	1 count)
	:	18 U.S.C. §§ 922(g)(1)
	:	(convicted felon in possession of a firearm
	:	- 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Classic Pistol, 1310 Industrial Boulevard, Southampton, Pennsylvania, 18966, possessed a federal firearms license (“FFL”) and was authorized to deal in firearms under federal law.
2. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

3. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearms Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. The Form 4473 requires the purchaser to answer questions about the purchase, including question 11.a., “Are you the actual buyer of the firearm(s) listed on this form? **Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual buyer, the dealer cannot transfer the firearm(s) to you.**” The Form 4473 also contains the warning, “**I understand that answering “yes” to question 11.a. if I am not the actual buyer of the firearm is a crime punishable as a felony.**”

4. A person who purchases a firearm for another person and falsely completes the Form 4473 is a “straw purchaser.” Acting as a straw purchaser is referred to as “lying and buying.”

5. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, to ensure that the person is not prohibited from purchasing a firearm.

6. Convicted felons are persons prohibited by law from buying firearms.

7. Defendant GREGORY SMITH was a convicted felon prohibited by law from buying firearms.

8. From on or about April 21, 2010 through on or about May 6, 2010, in the Eastern District of Pennsylvania, defendants

**GREGORY SMITH,
a/k/a “Tyriq Mason,”
MICHAEL ANTHONY LAWS, and
REGINA LONGSTRATT**

conspired and agreed with each other, to commit an offense against the United States, that is, to make false statements with respect to the information required to be kept in the records of a federally licensed firearms dealer, in violation of Title 18, United States Code, Section 924(a)(1)(A).

MANNER AND MEANS

It was part of the conspiracy that:

9. Defendant GREGORY SMITH, a convicted felon, who was prohibited from purchasing firearms, arranged for defendant REGINA LONGSTRATT to purchase a handgun on his behalf from Classic Pistol.

10. Defendant GREGORY SMITH recruited defendant MICHAEL ANTHONY LAWS to drive defendants SMITH and REGINA LONGSTRATT in defendant LAWS's own motor vehicle to Classic Pistol so that defendant LONGSTRATT could order and purchase the firearm on behalf of defendant SMITH.

11. Defendant GREGORY SMITH provided defendant REGINA LONGSTRATT with cash to buy the handgun.

12. During the purchase, at defendant GREGORY SMITH's direction, defendant REGINA LONGSTRATT falsely represented on ATF Form 4473 that she was purchasing firearms for herself, when, in fact, she was purchasing them for defendant SMITH.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about April 21, 2010, defendant MICHAEL ANTHONY LAWS drove defendants REGINA LONGSTRATT and GREGORY SMITH to Classic Pistol, in Southampton, Pennsylvania, where defendant LONGSTRATT entered the store and ordered an FNH, model Five-seveN, caliber 5.7x28mm semi-automatic pistol for purchase after providing a \$100 deposit in U.S. currency.

2. On or about April 26, 2010, defendant MICHAEL ANTHONY LAWS drove defendants REGINA LONGSTRATT and GREGORY SMITH to Classic Pistol, in Southampton, Pennsylvania, where defendant LONGSTRATT entered the store and started paperwork to buy the firearm.

3. On or about May 6, 2010, defendant MICHAEL ANTHONY LAWS drove defendants REGINA LONGSTRATT and GREGORY SMITH to Classic Pistol, in Southampton, Pennsylvania, where defendant LONGSTRATT purchased an FNH, model Five-seveN, caliber 5.7x28mm semi-automatic pistol, serial number 386214569, and ammunition, with money that defendant SMITH previously had provided her, while falsely representing on the Form 4473 that she was the actual buyer of the firearm.

4. On or about May 6, 2010, defendant REGINA LONGSTRATT handed the FNH, model Five-seveN, caliber 5.7x28mm semi-automatic pistol, serial number 386214569 and ammunition to defendant GREGORY SMITH.

All in violation of Title 18, United States Code, Section 371.

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 and 9 through 12, and Overt Acts 1 through 4 of Count One of this indictment are incorporated here.

2. On or about May 6, 2010, in Southampton and Philadelphia, in the Eastern District of Pennsylvania, defendants

**GREGORY SMITH,
a/k/a “Tyriq Mason,”
MICHAEL ANTHONY LAWS, and
REGINA LONGSTRATT,**

in connection with the acquisition of a firearm, that is, an FNH, model Five-seveN, caliber 5.7x28mm semi-automatic pistol, serial number 386214569, knowingly made, and aided and abetted the making of, a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of Classic Pistol, a federally licensed firearms dealer, in that, at the direction of defendant SMITH, defendant LONGSTRATT (the “straw purchaser”), falsely certified on Department of Treasury Form 4473, Firearms Transaction Record, that defendant LONGSTRATT was the actual buyer of the firearm, when in fact, defendants SMITH, LAWS, and LONGSTRATT knew this statement was false and fictitious.

In violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 6, 2010, in Philadelphia, in the Eastern District of Pennsylvania,
defendant

**GREGORY SMITH,
a/k/a “Tyriq Mason,”**

having been convicted in courts of the Commonwealth of Pennsylvania and in the United States District Court for the Eastern District of Pennsylvania of crimes punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, an FNH, model Five-seveN, caliber 5.7x28mm semi-automatic pistol, serial number 386214569, loaded with 21 rounds of ammunition.

In violation of Title 18, United States Code, Sections 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Sections 924(a)(1)(A) and 922(g)(1), set forth in this indictment, defendants

**GREGORY SMITH,
a/k/a “Tyriq Mason,”
MICHAEL ANTHONY LAWS, and
REGINA LONGSTRATT**

shall forfeit to the United States of America, the firearms and ammunition involved in the commission of this offense, including, but not limited to:

- (1) an FNH, model Five-seveN, caliber 5.7 x 28 mm semi-automatic pistol, serial number 386214569; and
- (2) 21 rounds of caliber 5.7 x 28 mm ammunition.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

A TRUE BILL:

GRAND JURY FOREPERSON

**ZANE DAVID MEMEGER
UNITED STATES ATTORNEY**